

Remarks

The present Response is to the Office Action mailed 10/16/2008, made final. Claims 32-41 are presented for examination.

Claim Rejections - 35 USC § 103

7. Claims 32-41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Reeder et al. (hereinafter Reeder) U.S. Patent 5,852,812 in view of Dent et al. (hereinafter Dent) U.S. Patent 6,128,603 in further view of Making the Smart Investment In Personal Finance Software, Working At Home (hereinafter Working At Home).

Regarding claims 32 and 37, Reeder teaches a billing system for a network, comprising: a first enterprise hosing integrated transaction services provided for scraping and aggregating personal information (PI) specific to an end user, and providing PI and transaction services to the end user (column 4, line 65 thru column 6, line 8 and column 9, line 55 thru column 10, line 22);

a second enterprise maintaining at least one financial account specific to the end user in which the end user has a monetary balance (column 4, line 65 thru column 6, line 8 and column 9, line 55 thru column 10, line 22);

a third enterprise maintaining a billing account specific to the end user (column 4, line 65 thru column 6, line 8 and column 9, line 55 thru column 10, line 22) and

Reeder also teaches interactive software programs provided by the first enterprise and executable on an end user appliance for the billing system (column 4, line 65 thru column 5, line 5 and column 6, line 20 thru column 7, line 41). Reeder fails to teach at least one indication representing the user's financial account, and at least one indication representing at least one bill associated with a billing account on which a balance is owed and instructing the first enterprise to pay the bill using funds from the financial account by dragging the indication of the account to the indication of the bill.

Dent teaches a consumer based system and method for managing and paying electronic billing statements in which there exists at least one indication representing a

user's financial account (column 3, lines 38-44) and at least one indication representing at least one bill associated with a billing account for which a monetary balance is owed by the user (column 7, line 56 thru column 8, line 2). Dent further teaches instructing bill payment by dragging the indication of the bill to the account (column 8, lines 36 thru column 9, line 20 and Figure 7). It would have been obvious to one of ordinary skill in the art at the time of the Applicant's invention to modify the teachings of Reeder to include the drag and drop teachings of Dent since both Reeder and Dent teach account management specifically with billing and it specifies a method for an active interaction method of bill payment that keeps the customer informed of their billing information.

Reeder and Dent fail to teach dragging the account to the bill. Working At Home teaches personal finance software that helps to manage finances by keeping track of bank accounts, credit card accounts, expenses, taxes and income (page 2, top). One software discussed, Kiplinger's CA-Simply Money contains drag and drop buttons that allow a user to drag their checking account button and drop it on the electric company button to pay the electric bill (page 7, middle). This software therefore teaches dragging the account to the bill. Working At Home further teaches that buttons can be created for a plurality of accounts including bank accounts and credit card accounts, such as checking, savings, credit card and money market accounts (page 7, third paragraph under Kiplinger's heading). The buttons allow for performing basic finance tasks, liking scheduling payments and allow for bill payment by using a bill payment service (page 7, sixth paragraph under Kiplinger's heading). It would have been obvious to one of ordinary skill in the art at the time of the Applicant's invention to modify the teachings of Reeder in view of Dent to include the teachings of Working At Home because it allows for the payment of bills by manipulating a graphical user-interface similar to Dent. Since only one account is required in the claim, it would be obvious to one of ordinary skill in the art that dragging the account to the bill, or the bill to the account are obvious modifications since they accomplish the same instructions for payment.

Claims 33 and 38, Reeder teaches that the network is the Internet network (column 5, lines 66 thru column 6, line 8).

Claims 34 and 39, Dent teaches at least two or more indications representing bills due (column 7, lines 56 thru column 8, line 2 and Figure 5). Dent also teaches the use of a checking account in the bill payment and also allows for the cash flow analyzer to recommend at certain times, payment to other accounts such as credit cards (column 10, lines 1-14). This recommendation is an indication of a second account. Work At Home teaches that the buttons represent multiple accounts including bank and credit card accounts (page 7, middle). Work At Home teaches dragging one of the account buttons to the bill desired to pay (page 7, middle). Dent and Work At Home teach instructing bill payment with drag and drop software and both teach the ability to use bank accounts. While Dent teaches recommending using a credit card, Dent fails to actually teach implementing the credit card as drag and drop whereas Work At Home allows for a finance button such as bank account or credit card account to be dragged and drop for payment of a bill. Therefore, the bank account or credit card account button can be dragged for payment. There is sufficient motivation to combine the teachings of Reeder with Dent and Work At Home because they provide an efficient manner for paying bills.

Claims 35 and 40, wherein the billing information is provided to the service by the third enterprise maintaining a billing account specific to the end user (column 4, line 65 thru column 6, line 8 and column 9, line 55 thru column 10, line 22).

Claims 36 and 41, wherein the billing information is provided to the user and the user enters the billing information to the service utilizing the software (column 4, line 65 thru column 6, line 8 and column 9, line 55 thru column 10, line 22).

Applicant's response:

Applicant herein amends claim 32 to specifically recite a first enterprise hosting integrated transaction services provided for scraping and aggregating personal information (PI) specific to an end user, and providing PI and transaction services to the end user; a plurality of second enterprises maintaining each at least one financial account specific to the end user in which the end user has a monetary balance, each of the second enterprises providing account information to the first enterprise; and a plurality of third enterprises maintaining at least one billing account specific to the end user, each of the third enterprises providing billing information to the first enterprise.

Applicant points out that although the art of Reeder's Fig. 1 may appear to contain the claimed elements and functions of applicant's claimed invention, it actually fails to teach applicant's invention, and in general and specifically fails to teach applicant's claim limitations, as amended. In the art of Reeder customers are accessing content from the Internet such as music, files, data from data centers 26a and 26b. Reeder's purpose is to bill the customers for accessing the content via the gateway, which is not a separate enterprise from the entity providing the service. The banking services 16 is a system connected with the gateway, again, not a separate enterprise, providing a service for generating credit card statements for the customers for content downloaded through the gateway. Billing service 20, which is also not a separate enterprise, is a service for generating invoices for downloaded Internet content and sending the invoices to the customers that do not wish to use a credit card via banking service 16. Reeder seeks to solve a problem of providing accurate, up to date statements for a high volume of customers accessing items from a common data network, exchanging currencies, and providing almost real time updates to statements for customers. Reeder's invention occurs at one enterprise. The bills are generated by the same enterprise providing the service.

Applicant's invention provides a service (1st enterprise) which actually receives invoices from companies (3rd enterprise) via gateway 14, in which customers have a pre-existing financial arrangement, paying for service or product from said companies, such

as utility bills, for example. The second enterprises, provided in applicant's invention, are separate enterprises maintaining financial accounts for the customer, i.e. checking account and savings accounts held at different institutions.

Applicant argues that the Examiner's statements that the services of Reeder are performed by separate enterprises are simply not a correct interpretation of the art. There is absolutely no facility in Reeder for customers to pay bills from outside enterprises. Customers accessing the service of Reeder get billed by Reeder, they do not pay bills through Reeder.

Reeder and Dent fail to provide a single interface where a user may select a bill, from a plurality of bills viewable in the interface from various enterprises which are ready for payment, select a financial account to be used to pay the bill, from a plurality of financial accounts viewable in the interface, and associate the two by dragging the indication of the financial account to the indication of the bill, thereby instructing the first enterprise to pay the bill to the third enterprise using funds from the customer's account held at the second enterprise.

Dent provides a credit card financial account which is manipulated by software on the customer's computer, which is an accounting program. The system of Dent operates within one financial account in order to schedule bill paying according to a schedule to maximize cash flow in said financial account. There are no financial accounts to choose from in the art of Dent, there is only one. Dent must provide a separate system or instance of accounting software for each account the customer wishes to use to pay bills, as clearly evidenced in col. 8, line 36 to col. 9, line 20; and Fig. 7.

In applicant's invention the customer can match a bill from a plurality of bills with a financial account, from a plurality of financial accounts within the same GUI and generate an instruction for the first enterprise to perform the payment from the customer's selected financial account at the second enterprise to pay the bill at the third enterprise. Applicant's claimed system is not taught or suggested in the art of Reeder or Dent, or suggested by the combination of the two, because Reeder does not provide a bill paying service and Dent provides accounting software on a user's desktop allowing a

user to manage bill paying with only one financial account.

Applicant believes claims 32 and 37, as amended, are clearly patentable over the art of Reeder and Dent, taken separately or in combination, as presented by the Examiner. Dependent claims are patentable on their own merits, or at least as depended upon a patentable claim.

Summary

As all of the claims, as amended and argued above, have been shown to be patentable over the art presented by the Examiner, applicant respectfully requests reconsideration and the case be passed quickly to issue.

If any fees are due beyond fees paid with this amendment, authorization is made to deduct those fees from deposit account 50-0534. If any time extension is needed beyond any extension requested with this amendment, such extension is hereby requested.

Respectfully Submitted,
Gregg Freishtat et al.

By /Donald R. Boys/
Donald R. Boys
Reg. No. 35,074

Central Coast Patent Agency, Inc.
3 Hangar Way, Suite D
Watsonville, CA 95076
831-768-1755